

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**BARBARA BEAVERS; MONICA
CABLE; LAURA KNIGHT; and
PAMELA MILLER**

APPELLANTS/PLAINTIFFS

VS

CIVIL ACTION NO.: 3:19cv 735-DPJ-FKB

CITY OF JACKSON, MISSISSIPPI

APPELLEE/DEFENDANT

**DEFENDANTS' RESPONSE TO
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES**

COMES NOW the Defendant, City of Jackson, Mississippi ("Defendant" or "City"), through the undersigned counsel, and files this Response of the City of Jackson, Mississippi, to Plaintiffs' Motion for Attorneys' Fees [15] filed on February 18, 2020, in response to the Court's Order [13] granting Plaintiffs' Motion to Remand [3] and awarding reasonable attorneys' fees and costs pursuant to 28 U.S.C. § 1447(c). Order [13] pp. 8-9, 11.

1. Defendant timely removed this action, causing minimal delay in the litigation of Plaintiffs' claims.

2. Defendant has submitted an affidavit from attorney Samuel L. Begley which states that in his opinion and experience, Mr. Rice's time spent related to Defendant's removal is excessive considering the complexity of the case, the nature of the issues in controversy, and the minimal amount of work required in this matter.

3. Plaintiffs' Itemized Statement of Hours Spent by Aaron R. Rice offers little detail for the Court to evaluate the reasonableness of time spent on researching and drafting the two

memoranda that substantially comprise the 85.6 hours claimed by Mr. Rice for work on removal, or the memorandum for Plaintiffs' fee request which substantially comprises the 12.6 hours claimed for Plaintiffs' fee request.

4. Plaintiffs' hours expended as set forth in Itemized Statement of Hours Spent by Aaron R. Rice are excessive and lack billing judgment.

5. Defendant relies on its Memorandum in Support of its Response to Plaintiffs' Motion for Attorneys' Fees, filed contemporaneously herewith, as well as Exhibit 1, Affidavit of Samuel L. Begley, attached hereto.

WHEREFORE, Defendant respectfully requests that this Court reduce Plaintiffs' request for attorney fees to not more than \$4,800.

RESPECTFULLY SUBMITTED, this the 3rd day of March, 2020.

CITY OF JACKSON, MISSISSIPPI

By: s/Paige Wilkins
Timothy Howard, MSB # 10687
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J. Paige Wilkins, MSB # 102052
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CERTIFICATE OF SERVICE

The undersigned certifies that she has this day transmitted via electronic filing and/or U.S. Mail, a true and correct copy of the foregoing to the following:

Zach Wallace
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Aaron R. Rice
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So certified, this the 3rd day of March, 2020.

By: s/Paige Wilkins
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